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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,939	03/30/2004	Kotaro Kitajima	00862.018058	2924
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EXAMINER				
KASSA, YOSEF				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/811,939

Applicant(s)

KITAJIMA, KOTARO

Examiner

YOSEF KASSA

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Arguments

1. Applicant's arguments see the remark on page 8-10, filed on 12/12/2007, with respect to rejections of claims 1-20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made on Suzuki (U.S. Patent 6,005,637) and Akiyama et al (U.S. Patent 6,674,485).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10, 11, 13, 14 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki (U.S. Patent 6,005,637).

With regard to claim 1, Suzuki discloses an input unit configured to input for inputting image data including image components (refer to Fig. 1, item 11, camera unit generated input image data);

a generating unit configured to generate mesh image data representing a mesh image (Fig. 1, item 31, generated mesh image); and

an adding unit configured to add the mesh image data generated by the generating unit to the image data input by the input unit as one of the image components (refer to Fig. 1, synthesize circuit 45, synthesize mesh image data and image data).

With regard to claim 2, Suzuki discloses further comprising a processing unit configured to process the image data input by the input unit, and wherein the generating unit generates mesh image data transformed according to how the processing unit processes the image data (refer to col. 5, lines 8-13).

With regard to claim 3, Suzuki discloses wherein the generating unit generates mesh image data transformed according to attribute information of the image data input by the input unit (refer to col. 5, lines 8-13).

With regard to claim 4, Suzuki discloses wherein the generating unit generates mesh image data transformed according to information relating to an optical system that captures the image data (refer to Fig. 1, items 11 and 32).

With regard to claim 5, Suzuki discloses wherein the generating unit generates mesh image data transformed according to information on a bulge aberration of the optical system (refer to col. 8, lines 23-31).

With regard to claim 6, Suzuki discloses wherein the generating unit generates mesh image data transformed according to information on a zoom magnification of the optical system (refer to col. 8, lines 21-31).

With regard to claim 7, Suzuki discloses wherein the generating unit generates attaches mesh image data having a large mesh size when the image data has been captured on a telescopic side of the optical system and mesh image data having a small mesh size when the image data has been captured on a wide-angle side of the optical system (refer to col. 8, lines 21-33).

With regard to claim 8, Suzuki discloses further comprising a sensor that detects a tilt of the optical system, and wherein the generating unit generates mesh image data transformed

according to a tilt of the optical system (refer to col. 8, lines 21-24).

With regard to claim 10, Suzuki discloses further comprising a display unit configured to display either the mesh image data alone or the predetermined image components data and the mesh image data in combination (refer to col. 5, lines 15-19).

Claim 11 is similarly analyzed and rejected the same as claim 1. Except, the limitation "a transforming unit configured to transform an image based on the image data input by the input unit;" (refer to col. 4, lines 54-61); the additional limitation "a recording unit configured to record onto a storage medium, the image data in which the mesh image data is added onto a storage medium" (refer to col. 6, lines 12-17).

Claims 13 and 14 are similarly analyzed and rejected the same as claims 3 and 4.

Claim 17 is similarly analyzed and rejected the same as claim 1.

Claim 18 is similarly analyzed and rejected the same as claim 11.

Claims 19 and 20 are similarly analyzed and rejected the same as claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Patent 6,005,637) as applied to claims 1-8, 10, 13, 14 and 17-20 above, and further in view of Akiyama et al (U.S. Patent 6,674,485).

With regard to claim 9, Suzuki failed to disclose further comprising an encoding unit configured to encode, by a common image encoding method, the image data in which the mesh image data is added with the same encryption method. However, at the same field of endeavor, Akiyama discloses this feature (refer to col. 7, lines 19-27). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching Akiyama image compressing system into Suzuki system. The suggestion/motivation for doing so would have been to provide image compress or encoding system. Therefore, it would have been obvious to combine Akiyama with Suzuki to obtain the invention as specified in claim 9.

Claims 15 and 16 are similarly analyzed and rejected the same as claim 9.

Other Prior Art Cited

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. (6816625), (7027054), (5625710) and (5740286).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (571) 272-7452. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on (571) 272-7401. The fax phone numbers for the

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organization where this application or proceeding is assigned is (571) 273-8300 for regular communication and (571) 273-8300 for after Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/25/2008.

/YOSEF KASSA/

Primary Examiner, Art Unit 2624